

# CHAPTER 5

## CONSULTATION AND COORDINATION

### INTRODUCTION

The Jack Morrow Hills CAP was prepared by an interdisciplinary team of specialists from the Rock Springs Field Office, and the Wyoming State Office (Table 5-1). Reviews and accuracy and consistency were provided by both the field office and the state office staffs.

Consultation, coordination, and public involvement have occurred throughout the process through public meetings, informal meetings, individual contacts, news releases, and Federal Register notices.

Initial steps in the process began in 1997 with the development of a preparation plan. Other early efforts included research, inventory, analysis, and interagency coordination.

### PUBLIC PARTICIPATION

A public participation plan was prepared to ensure that the public would have numerous opportunities to be actively involved in the planning and environmental process. Formal and informal input has been encouraged and used.

A scoping notice was mailed out to the public in January of 1998. A Notice of Intent to prepare the Cap was published in the Federal Register of February 5, 1998. Open houses were held during February 1998 in Lander and Rock Springs, Wyoming and again in February of 1999. Two field tours were conducted in September and October of 1998, providing a field review of the area.

Each operator of a grazing allotment has been contacted either in person or in writing to discuss standards and guidelines review of their allotment.

BLM personnel have met formally or informally with many members of the ranching and minerals industries and with other interest groups and agencies. A summary of comments generated from these meetings is on file in the Rock Springs Field Office.

A total of 197 comment letters were received during the scoping process. Comment points included concern for addressing wildlife resources, cultural resources, visual quality, air quality, water quality, recreation use, socioeconomic affects, vegetation and livestock grazing, minerals management, and recommendations for transportation planning.

### CONSISTENCY

Coordination with other agencies and consistency with other plans was accomplished through frequent communications and cooperative efforts between the BLM and involved federal, state, and local agencies and organizations (Table 5-2).

The Wyoming Governor's Clearinghouse receives 20 copies of this draft document for review to ensure consistency

with ongoing State plans. The interdisciplinary team reviews county land use plans to ensure consistency. Meetings are held with the respective county planners and commissioners to promote greater understanding of goals, objectives, and resources of both the counties and the BLM.

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Members of the interdisciplinary team have consulted formally or informally with numerous agencies, groups, and individuals in the CAP development process. The following list is representative of the businesses, agencies, organizations, and individuals who have indicated an interest in the JMHCAP and who have been contacted during the planning process. This list is not all-inclusive. A complete list is on file in the Rock Springs Field Office.

Meetings were held with and Sweetwater and Fremont County representatives.

Meetings and communications occurred throughout the preparation of the DEIS with the Wyoming State Clearinghouse.

The USFWS was contacted for Section 7 consultation and threatened and endangered species lists and initial screens in December 1998. An updated species list was received in October 1999. Meetings and communications also occurred throughout the preparation of the DEIS.

As part of the general scoping process, scoping letters were sent to the Northern Arapaho, Eastern Shoshone, Shoshone-Bannock, and Ute tribes, and to the Medicine Wheel Alliance. These letters described the JMHCAP project and asked for information and input. Additionally, in the spring of 1998, written communication was initiated with the four tribes. Letters were sent to the tribes requesting assistance in obtaining cultural resource management information for the planning area. BLM officials Bernard Weynand and Russel Tanner also met with the Medicine Wheel Alliance in June of 1998. They outlined the JMHCAP effort to several elders at the meeting. As a result of this meeting, a tour with representatives of the Eastern Shoshone tribe was scheduled to identify the kinds of places that might be of concern to Native American peoples. A field tour was conducted with tribal representatives Haman Wise and Delphine Clair, in September 1998. As a result of this tour, areas noted as "respected places" were identified. Management recommendations were identified and used in the alternative formulation process. Following the field trips, staff archaeologists Russel Tanner, Terry Del Bene, Haman Wise, and Delphine Clair met and discussed Native American concerns both in general and relative to several specific sites such as rock art sites, petroglyphs, and altar and stone circle sites. Information gathered from these field trips and meetings was used in formulating management recommendations for rock art sites, the Steamboat Mountain

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area, Monument Ridge, Steamboat Rim, stone circles, and altar sites.

Since 1986, Native Americans (i.e., Haman Wise, John Tarnesse, and Delphine Clair) have been taken on tours of sites in the Rock Springs Field Office area that could be of concern to Native Americans relative to proposed developments. The other tribes (Northern Arapaho, Shoshone-Bannock, and Ute tribes) are known to have had a major presence in the area in historic times (i.e., 1650-1900) and have been invited to participate in all of the tours; however, they either did not respond to our invitation or indicated that the Eastern Shoshone could take the "lead."

### Federal Agencies

#### Department of the Interior

- Bureau of Indian Affairs
- Bureau of Land Management
- Bureau of Reclamation
- Fish and Wildlife Service
- Geological Survey
- National Park Service
- Minerals Management Service
- Office of Environmental Affairs

#### Department of Agriculture

- Forest Service
- Natural Resource Conservation Service

#### Department of Commerce

#### Department of Defense

#### Department of Energy

#### Department of Housing and Urban Development

#### Department of Transportation

#### Environmental Protection Agency

### State of Wyoming

- Department of Environmental Quality
- Game and Fish Department
- Geological Survey of Wyoming
- Governor of Wyoming
- State Clearinghouse
- State Department of Transportation
- State Engineer
- State Historic Preservation Office
- University of Wyoming
- Wyoming Recreation Commission

### Federal Elected Officials

- Congresswoman Barbara Cubin
- Senator Craig Thomas
- Senator Mike Enzi

### State Elected Officials

- Senators and Representatives of Fremont, Sublette, and Sweetwater counties.

### Local Governments

- County governments of Fremont, Sublette, and Sweetwater counties.

- Mayors' offices of Green River, Rock Springs, and Superior.

### Tribal Councils

- Northern Arapaho,
- Eastern Shoshone,
- Shoshone-Bannock, and
- Ute Tribal Councils

### Industry

- Black Butte Coal Co.
- Bridger Coal Company
- Chevron USA, Inc.
- Exxon Company U.S.A.
- Hunt Oil
- Marathon Oil Co.
- Pacific Power
- Pacificorp
- Questar Corporation
- Questar Pipeline Co.
- River Gas Corporation
- Texaco Inc.
- Texas Gulf, Inc.
- Union Pacific Resources Co.

### Associations and Interest Groups

- American Humane Association
- Animal Protection Institute of America
- Defenders of Wildlife
- Environmental Defense Fund
- Fund for Animals
- Greater Yellowstone Coalition
- Independent Petroleum Association of Mountain States
- National Wildlife Federation
- Natural Resources Defense Council
- Oregon-California Trails Association
- Petroleum Association of Wyoming
- Public Lands Advocacy
- Rock Springs Grazing Association
- Sierra Club
- Southwest Wyoming Industrial Association
- Sweetwater Economic Development Association (SWEDA)
- The Nature Conservancy
- Wilderness Society
- Wyoming Wildlife Federation

### Others

- Many individuals were contacted, including all range permittees, mining claimants, and lessees in the planning area.

**TABLE 5-1  
KEY COORDINATION ACTIONS**

<b>Agency</b>	<b>Coordination/Responsibility</b>
<b>FEDERAL AGENCIES:</b>	
<b>Department of the Interior</b>	
Bureau of Reclamation	Coordinate mineral leasing and other activities that affect lands that are administered by the BOR. Review the JMHCAP for consistency with BOR planning.
Fish and Wildlife Service	Review actions affecting threatened or endangered species of fish, wildlife, or plants. Consultation and review.
Geological Survey	Review of JMHCAP for consistency with USGS planning.
Minerals Management Service	Review of JMHCAP for consistency with MMS planning.
<b>Department of Agriculture</b>	
Forest Service	<p>Coordinate mineral leasing and other activities that affect lands administered by USDA Forest Service. Review the JMHCAP for consistency with USDA Forest Service planning.</p> <p>Review of JMHCAP for consistency with the management actions. The proposed actions would also be discussed with the Wyoming State Forestry Division and other agencies involved in wild land fire management.</p> <p>Coordinate and cooperate with USDA Forest Service, DEQ, and EPA on monitoring and collecting of air quality data.</p>
<b>Environmental Protection Agency</b>	Coordinate and cooperate with USDA Forest Service, DEQ, and EPA on monitoring and collecting of air quality data.
<b>STATE AGENCIES</b>	<p>BLM would cooperate with the State of Wyoming on the 208 plan and coordinate the development of water quality plans consistent with BLM programs and JMHCAP recommendations.</p> <p>BLM would coordinate with Wyoming DEQ and EPA on air quality standards and regulations that could affect BLM-managed activities.</p> <p>BLM would coordinate with Wyoming DEQ and EPA on the development of visibility standards and guidelines.</p> <p>BLM would coordinate and cooperate with USDA Forest Service, DEQ, and EPA on monitoring and collecting of air quality data.</p> <p>Vegetation manipulation projects would involve coordination with affected livestock operators and the Wyoming Game and Fish Department.</p> <p>Consultation and review with Wyoming Game and Fish Department.</p> <p>Coordinate and cooperate with WYDOT on transportation planning and highway access.</p>
<b>STATE AGENCIES (continued)</b>	Consultation with the State Historic Preservation Officer on compliance with Section 106 of the National Historic Preservation Act in accordance

with the National Programmatic Agreement, as implemented in the Wyoming Protocol to that agreement.

#### COUNTY AGENCIES

Fremont, Sublette,  
Sweetwater

Review JMHCAP for consistency.  
Zoning.  
Access permits.

**TABLE 5-2  
LIST OF PREPARERS**

Name	Job Title	CAP Responsibility
<b>Rock Springs Field Office</b>		
Don Judice Rick Amidon Renée Dana	Petroleum Engineer Wildlife Biologist Resource Advisor	Team coordination, coordination with State Office, review of public comments, co-author, review and release of any public information
Barbara Amidon	Botanist	Vegetation, Woodlands, Threatened and Endangered Plants
Rick Amidon	Wildlife Biologist	Wildlife
Mike Brown	Public Affairs Officer	Public Affairs, Socioeconomics
Teri Deakins	Environmental Protection Specialist	NEPA Compliance
Dennis Doncaster	Hydrologist	Watershed, Surface Water
Jim Glennon	Botanist	Vegetation, Woodlands, Threatened and Endangered Plants
Patricia Hamilton	Realty Specialist	Lands, Rights-of-Ways, Travel Management
John Henderson	Fisheries Biologist	Riparian, Wetlands, Fisheries
Don Judice	Petroleum Engineer	Fluid Minerals, GIS Technical Assistance
Jon Kautt	Rangeland Management Specialist	Livestock Grazing
Lorraine Keith	Wildlife Biologist	Wildlife
John MacDonald	Natural Resource Specialist	Soils, Vegetation
Lance Porter	Rangeland Management Specialist	Livestock Grazing
George Schoenfeld	Environmental Scientist	Hazardous Materials
Thor Stephenson	Rangeland Management/Wild Horse Specialist	Wild Horses
Russ Tanner	Archaeologist	Cultural Resources
Andy Tenney	Outdoor Recreation Planner	Recreation, Visual Resources, Off-Road Vehicle, Wilderness, ACECs, Transportation Planning

<b>Name</b>	<b>Job Title</b>	<b>CAP Responsibility</b>
Tony Tezak	Fire Control Officer	Fire
David Valenzuela	Geologist	Paleontology, Coal, Sodium, Salables, Locatables, Groundwater
J. David Chase	Geologist (Casper Field Office)	Fluid Minerals, Drainage
Dean Stilwell	Geologist (Casper Field Office)	Fluid Minerals, Drainage, Geologic Hazards
Mary Apple	Public Affairs Officer (Rawlins Field Office)	Public Affairs
<b>Wyoming State Office</b>		
Roy Allen	Economist	Socioeconomics
Laurie Bryant	Geologist	Palentology
Susan Caplan	Physical Scientist	Air Quality
Jerry Carter	Printing Specialist	Printing
Tom Enright	Rangeland Management Specialist	Livestock Grazing
Don Glenn	Rangeland Management Specialist	Wild Horses
Tamara Hammack	Printing Technician	Typesetting
Jon Johnson	Environmental Protection Specialist	WSO planning and NEPA technical/policy guidance, and coordination of WSO Staff input and coordination among field and WSO Staffs
Roger Lawrence	Visual Information Specialist	Illustrations
Gretchen Meyer	Natural Resource Specialist	Remote Sensing
Terri Mitchell	Supervisory Cartographic Technician	Manual Cartography
Sheri Morris	Printing Specialist	Typesetting, Preflighting
Larry Neasloney	GIS Specialist	GIS Technical Assistance, Mapping
Joe Patti	Natural Resource Specialist; Field Planning Coordinator	WSO planning and NEPA technical/policy guidance, and coordination of WSO Staff input and coordination among field and WSO Staffs

# GLOSSARY

**Active Use.** The current authorized use, including livestock grazing and conservation use. Active use may constitute a portion, or all, of permitted use. Active use does not include temporary nonuse or suspended use of forage within all or a portion of an allotment.

**Avoidance Areas.** Areas on public lands where future rights-of-way may be granted only when no feasible alternative route or designated right-of-way corridor is available.

**Current Annual Growth.** The amount of forage produced by a plant in one growing season.

**Disruptive Activities.** The physical presence, sounds, and movements of people and their activities (on, below, or above the land surface) whether on foot, riding animals, or using non-motorized or motorized vehicles or equipment.

The bulk of the concern for mitigation of disruptive activities is associated with the effects of human presence and activity on wildlife. That is, the effect that human presence, movements and sounds (including those of the equipment used) may have on the well-being of wildlife during critical life-cycle stages (breeding, nesting, birthing), or during periods of severe weather conditions (severe winter storms, long periods of severe cold or deep snow conditions), when forage or habitat are severely limited, and when the animals are under high stress and depleted body-energy conditions. Harassment of wildlife from human presence, movements, or sounds during these kinds of periods and conditions can cause excessive and unnecessary impacts, including mortality, fetal abortion, and abandonment of young. While these types of activities can be associated with the performance of surface-disturbing activities, they are not exclusive to that.

Disruptive activities can also be associated with effects to other resources, such as excessive or adverse influences and effects of human presence or modern society's imprint on areas of highly primitive, seclusive, scenic, or historic value.

**Disturbance Zone.** Area of influence around a disturbance causing a change in animal behavior such as: leaving the area, increased stress, abandoning young, not breeding, and aberrant behavior. Examples of disturbances include: road construction and road use, facility construction and placement, pipeline construction, field facility maintenance, rights-of-way construction, range improvement construction.

**Eolian Ice Cells.** Perennial ice formed from snowfall and insulated from summer heat by a cover of windblown sands. This ice feeds small ponds within the dunes.

**Exclusion Areas.** Areas on public lands where future rights-of-way may be granted only when mandated by law.

**Flockets.** A local term for the ponds and associated wet meadows created in the Sand Dunes from melting eolian ice cells.

**Minimum Heights.** The amount of plant material remaining during the grazing season.

**Native American respected place.** A physical location about which Native American tribal representatives have expressed

concern. The location could be a traditional cultural property, a sacred site, or a site important to tribal history. Management strategies at these sites may be different from those commonly used at typical archeological sites. For instance, viewsheds are usually important, and other issues, including audible intrusions, may need to be considered. Data recovery mitigation is usually not an appropriate mitigation at a respected place.

**No Surface Occupancy (NSO).** The term "no surface occupancy" (NSO) is used in two ways. It is used in one way to define a no surface occupancy area where no surface disturbing activities, of any nature or for any purpose, would be allowed. For example, construction or the permanent or long-term placement of structures or other facilities for any purpose would be prohibited in an NSO area.

The other way the "no surface occupancy" term is used is as a stipulation or mitigation requirement for controlling or prohibiting selected land uses or activities that would conflict with other activities, uses, or values in a given area. When used in this way, the NSO stipulation or mitigation requirement is applied to prohibit one or more specific types of land and resource development activities or surface uses in an area, while other—perhaps even similar—types of activities or uses (for other purposes) would be allowed. For example: Protecting important rock art relics from destruction may require closing the area to the staking of mining claims and surface mining, off-road vehicle travel, construction or long-term placement of structures or pipelines, power lines, general purpose roads, and livestock grazing. Conversely, the construction of fences to protect the rock art from vandalism or from trampling or breakage by livestock, an access road or trail, and other visitor facilities to provide interpretation and opportunity for public enjoyment of the rock art would be allowed. Further, if there were interest in development of leasable minerals in the area, leases for oil and gas, coal, and so forth, could be issued with a "no surface occupancy" stipulation or mitigation requirement for the rock art site, which would still allow access to the leasable minerals from adjacent lands and underground.

The term "no surface occupancy" has no relationship or relevance to the presence of people in an area.

**Nondiscretionary Closures.** Areas closed to fluid mineral development by law, regulation, Executive Order, and Secretarial decision.

**Non-motorized Vehicle (or Non-motorized Mechanical Transport).** Any contrivance for moving people or material in or over land, water, snow, or air, that has moving parts, and that is powered by a living or non-motorized power source. This includes, but is not limited to, sailboats, hang gliders, parachutes, bicycles, game carriers, carts, and wagons. The term does not include wheelchairs when used as necessary medical appliances, nor does it include skis, snowshoes, non-motorized river craft, sleds, travois, or similar primitive devices without moving parts.

**Off-Road Vehicle Management Designations.** Designations apply to all off-road vehicles regardless of the purposes

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for which they are being used. Emergency vehicles are excluded. The ORV designation definitions have been developed in cooperation with representatives of the USDA/Forest Service, U.S. Park Service, and BLM State and Field Office personnel. BLM recognizes the differences between off-road vehicles and oversnow vehicles in terms of use and impact. Therefore, travel by oversnow vehicles will be permitted off existing routes and in all open or limited areas (unless otherwise specifically limited or closed to oversnow vehicles) if they are operated in a responsible manner without damaging the vegetation or harming wildlife.

**Closed:** Vehicle travel is prohibited in the area. Access by means other than motorized vehicle is permitted.

**Open:** Vehicle travel is permitted in the area (both on and off roads) if the vehicle is operated responsibly in a manner not causing, or unlikely to cause significant, undue damage to or disturbance of the soil, wildlife, wildlife habitat, improvements, cultural, or vegetative resources or other authorized uses of the public lands.

**Limited:** a. Vehicle travel is permitted only on existing roads and vehicle routes which were in existence prior to the date of designation in the Federal Register. Vehicle travel off of existing vehicle routes is permitted only to accomplish necessary tasks and only if such travel does not result in resource damage. Random travel from existing vehicle routes is not allowed. Creation of new routes or extensions and/or widening of existing routes is not allowed without prior written agency approval.

b. Vehicle travel is permitted only on roads and vehicle routes designated by BLM. In areas where final designation has not been completed, vehicle travel is limited to existing roads and vehicle routes as described above. Designations are posted as follows:

1. Vehicle route is open to vehicular travel.
2. Vehicle route is closed to vehicular travel.

c. Vehicle travel is limited by number or type of vehicle. Designations are posted as follows:

1. Vehicle route limited to four-wheel drive vehicles only.
2. Vehicle route limited to motorbikes only.
3. Area is closed to oversnow vehicles.

d. Vehicle travel is limited to licensed or permitted use.

e. Vehicle travel is limited to time or season of use. Posted:

Seasonal closure to all motor vehicles (the approximate dates of closure are indicated).

f. Where specialized restrictions are necessary to meet resource management objectives, other limitations may also be developed. Posted:

Recreational ORV open play areas.

**Paleosol.** A term used by archeologists and some geologists to refer to an ancient soil deposit. Paleosols are particularly

important because they often contain evidence about some of the earliest cultures to inhabit North America.

**Permitted Use.** The forage allocated by, or under the guidance of, an applicable land use plan for livestock grazing in an allotment under a permit or lease and is expressed in AUMs.

**Proper Functioning Condition.** A riparian-wetland area is considered to be in proper functioning condition when adequate vegetation, landform, or large woody debris is present to:

- dissipate stream energy associated with high waterflow, thereby reducing erosion and improving water quality;
- filter sediment, capture bedload, and aid floodplain development;
- improve flood-water retention and groundwater recharge
- develop root masses that stabilize streambanks against cutting action
- develop diverse ponding and channel characteristics to provide the habitat and the water depth, duration, and temperature necessary for fish production, waterfowl breeding, and other uses
- support greater biodiversity.

The components of this definition are in order relative to how processes work on the ground.

**Range Readiness.** Stage of plant development at which grazing may begin in an area/pasture/allotment without damage to vegetation or soil.

**Respected Places.** The term Eastern Shoshone informants use to identify places that are important to them.

**Seasonal Utilization (relative).** Seasonal utilization is the amount of utilization that has occurred before the end of the growing season.

**Season-long use (passive, continuous grazing).** The term season-long use or passive, continuous grazing means grazing throughout the growing period, with little or no effort to control the amount of distribution of livestock use in area/pasture/allotments.

**Surface Disturbing Activities (or Surface Disturbance).** The physical disturbance and movement or removal of the land surface and vegetation. It ranges from the very minimal to the maximum types of surface disturbance associated with such things as off-road vehicle travel or use of mechanized, rubber-tired, or tracked equipment and vehicles; some timber cutting and forest silvicultural practices; excavation and development activities associated with use of heavy equipment for road, pipeline, power line and other types of construction; blasting; strip, pit, and underground mining and related activities, including ancillary facility construction; oil and gas well drilling and field construction or development and related activities; range improvement project construction; and recreation site construction.

## GLOSSARY

**Utilization.** The portion of forage that has been consumed (or destroyed) by livestock, wild horses, wildlife, and insects during a specified period. The term is also used to refer to the pattern of such use (43 CFR 4100.0-5).

Utilization is the proportion or degree of the current year's forage production by weight that is consumed or destroyed by animals (including insects). The term may refer either to a single plant species, a group of species, or the vegetation community as a whole. Utilization is synonymous with use.

**Viable.** Capable of sustaining a healthy and reproducing population over a long period of time.

### **Visual Resource Management Classes (definition of).**

**Class I.** The objective of this class is to maintain a landscape setting that appears unaltered by humans. It is applied to designated wilderness areas, wilderness study areas, some natural areas, wild portions of the wild scenic rivers, and other similar situations where management activities are to be restricted.

**Class II.** The objective of this class is to design proposed alterations so as to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.

**Class III.** The objective of this class is to design proposed alterations so as to partially retain the existing character of the landscape. Contrasts to the basic elements (form, line, color, and texture) caused by a management activity may be evident and begin to attract attention in the characteristic landscape. However, the changes should remain subordinate to the existing characteristic landscape. Structures located in the foreground distance zone (0 to 1/2 mile) often create a contrast that exceeds the VRM class, even when designed to harmonize and blend with the characteristic

landscape. This may be especially true when a distinctive architectural motif or style is designed. Approval by the District Manager is required on a case-by-case basis to determine whether the structure(s) meet the acceptable VRM class standards, and if not, whether they add acceptable visual variety to the landscape.

**Class IV.** The objective of this class is to provide for management activities which require major modification of the existing character of the landscape. Contrasts may attract attention and be a dominant feature of the landscape in terms of scale; however, the change should repeat the basic elements (form, line, color, and texture) inherent in the characteristic landscape. Structures located in the foreground distance zone (0-1/2 mile) often create a contrast that exceeds the VRM class, even when designed to harmonize and blend with the characteristic landscape. This may be especially true when a distinctive architectural motif or style is designed. Approval by the District Manager is required on a case-by-case basis to determine whether the structure(s) meet the acceptable VRM class standards, and if not, whether they add acceptable visual variety to the landscape.

**Rehabilitation Area.** Change is needed or change may add acceptable visual variety to an area. This class applies to areas where the naturalistic character has been disturbed to a point where rehabilitation is needed to bring it back into character with the surrounding landscape. This class would apply to areas identified in the scenic evaluation where the quality class has been reduced because of unacceptable cultural modification. The contrast is inharmonious with the characteristic landscape. It may also be applied to areas that have the potential for enhancement; i.e., add acceptable visual variety to an area or site. It should be considered an interim or short-term classification until one of the other VRM class objectives can be reached through rehabilitation or enhancement. The desired visual resource management class should be identified.



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*These references were reviewed as part of the process of developing the riparian sections of the CAP text and appendix.*

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